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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,)
08 Plaintiff,) Case No. CR00-0236-RSL-JPD
09 v.) SUMMARY REPORT OF U.S.
10 RODNEY RUSSELL PHILLIPS,) MAGISTRATE JUDGE AS TO
11 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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13 An evidentiary hearing on a petition for violation of supervised release in this case was
14 scheduled before the undersigned Magistrate Judge on May 9, 2006. The United States was
15 represented by Assistant United States Attorney Susan Roe, and the defendant by Mr. Bruce
16 Erickson. The proceedings were recorded on cassette tape.

17 The defendant had been charged and convicted of Bank Robbery. On or about July 6,
18 2001, defendant was sentenced by the Honorable Robert S. Lasnik to a term of seventy-three
19 (73) months in custody, followed by three (3) years of supervised release.

20 The conditions of supervised release included the requirements that the defendant comply
21 with all local, state, and federal laws, and with the standard conditions. Special conditions
22 imposed included, but were not limited to, substance-abuse and mental-health treatment
23 participation, drug aftercare, alcohol abstinence, consent to search and seizure, financial
24 disclosure, and restitution.

25 In a Petition for Warrant or Summons dated April 11, 2006, and a Supplemental
26 Violation Report dated May 5, 2006, U.S. Probation Officer Jerrod Akins asserted the following

REPORT AND RECOMMENDATION OF
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violations by defendant of the conditions of his supervised release:

(1) Failing to report a change in residence, in violation of standard condition No. 6.

(2) Failing to report a change in employment, in violation of standard condition No. 6.

(3) Failing to participate in drug testing as instructed, in violation of the special condition requiring him to participate in a program for the treatment of narcotic addiction or drug dependency, which may include testing to determine if the defendant has reverted to the use of drugs.

(4) Consuming heroin on or before April 28, 2006, in violation of standard condition No. 7.


(5) Consuming alcohol, on or before April 28, 2006, in violation of the special condition that he abstain from the use of alcohol and/or other intoxicants during the term of supervision.

The defendant admitted to alleged violations numbers 1, 2, 3, 4, and 5.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as to violations numbers 1, 2, 3, 4, and 5, and that the Court conduct a hearing limited to disposition. A disposition hearing on these violations has been set before the Honorable Robert S. Lasnik on Tuesday, May 16, 2006, at 8:30 a.m.

Pending a final determination by the Court, the defendant has been detained.

DATED this 9th day of May, 2006.


JAMES P. DONOHUE
United States Magistrate Judge

cc:	District Judge:	Honorable Robert S. Lasnik
	AUSA:	Ms. Susan Roe
	Defendant's attorney:	Mr. Bruce Erickson
	Probation officer:	Mr. Jerrod Akins